

BEFORE THE TENNESSEE REGULATORY AUTHORITY AT

NASHVILLE, TENNESSEE

IN RE:	July 20, 2001)	
)	
PETITION OF ON-SITE SYSTEMS, INC. TO AMEND ITS)	DOCKET NO.
CERTIFICATE OF CONVENIENCE AND NECESSITY)	01-00221

ORDER APPROVING PETITION OF ON-SITE SYSTEMS, INC.
TO AMEND ITS CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

This matter came before the Tennessee Regulatory Authority (the "Authority") at a regularly scheduled Authority Conference held on June 26, 2001, to consider the Petition (the "Petition") of On-Site Systems, Inc. ("On-Site") to amend its Certificate of Public Convenience and Necessity ("CCN") to expand its service area to include a development in Blount County known as the Jackson Bend Subdivision ("Jackson Bend").

Legal Standard for Granting CCN

On-Site's Petition was made pursuant to and was considered in light of the criteria for granting a CCN as set forth in Tenn. Code Ann. § 65-4-201, which provides, in pertinent part:

(a) No public utility shall establish or begin the construction of, or operate any line, plant, or system, or route in or into a municipality or other territory already receiving a like service from another public utility, or establish service therein, without first having obtained from the authority, after written application and hearing, a certificate that the present or future public convenience and necessity require or will require such construction, establishment, and operation, and no person or corporation not at the time a public utility shall commence the construction of any plant, line, system or route to be operated as a public utility, or the operation of which would constitute the same, or the owner or operator thereof, a public utility as defined by law, without having first obtained, in like manner, a similar certificate . . .

Background

On April 4, 1994, On-Site received a CCN in Docket No. 93-09040 from the Tennessee Public Service Commission to provide wastewater service to the Oakwood Subdivision in Maury

County. Since that time, through various other dockets, On-Site has been granted approval to expand its service territory to include other areas in Tennessee.

Petition to Amend CCN

On March 8, 2001, On-Site filed its Petition to amend its CCN to expand its service area to include Jackson Bend. On-Site's Petition states that Jackson Bend is located inside the corporate city limits of the Town of Louisville, Tennessee ("Louisville"). A map showing the area to which On-Site proposes to extend service is attached to its Petition. In its Petition, On-Site states that the wastewater service provider located closest to Jackson Bend is the City of Alcoa, Tennessee ("Alcoa"). With its Petition, On-Site submitted a letter dated January 26, 2001 from Mark L. Johnson, Alcoa City Manager, stating that Alcoa has no plans to extend wastewater lines in the Jackson Bend area. In addition, On-Site submitted a letter dated January 29, 2001 from Louisville Mayor Geraldine Anderson stating that neither the South Blount County Utility District, which provides water service to commercial and residential properties in Louisville, nor the Town of Louisville, offers wastewater service. On-Site also submitted a letter dated February 15, 2001 from Robyn M. Snapp of the South Blount County Utility District which confirms that this Utility District does not provide wastewater service to Jackson Bend, as well as a letter, dated January 17, 2001, from William A. Crisp, County Executive of Blount County, which states that Blount County has no plans to provide wastewater service to Jackson Bend.

On-Site filed a rate schedule in this docket which states that residential rates for Jackson Bend will be as follows:

Total monthly charge	\$35.11
Non-payment fee	5% of monthly charge
Disconnection fee	\$10
Reconnection fee	\$15
Returned check fee	\$20
Access fee	\$84/year

This rate schedule comports with the rate schedule for On-Site approved by the Authority in Docket

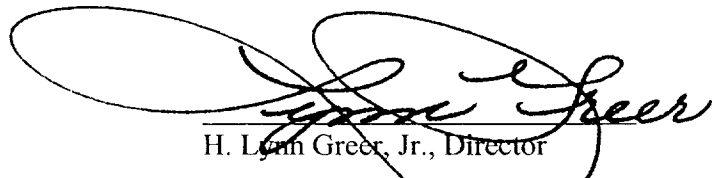
No. 99-00393 on January 11, 2000. The rate schedule does not list any commercial wastewater rates for this area.

On June 26, 2001, On-Site's Petition came before the Authority at a regularly scheduled Authority Conference. Upon consideration of the Petition and the entire record, the Authority finds that the present and future public convenience and necessity require the approval of On-Site's Petition. Pursuant to Tenn. Code Ann. § 65-4-201, the Authority grants On-Site's Petition.

IT IS THEREFORE ORDERED THAT:

1. The Petition of On-Site Systems, Inc. to amend its Certificate of Public Convenience and Necessity to expand its service area to include a development in Blount County known as the Jackson Bend Subdivision, as shown in the map attached to the Petition, is approved;
2. On-Site's rates for wastewater service to Jackson Bend shall be as listed in the rate schedule filed with On-Site's Petition and as set forth in this Order; and
3. Any party aggrieved with the Authority's decision in this matter may file a Petition for Reconsideration with the Authority within fifteen (15) days from the date of this Order.


Sara Kyle, Chairman


H. Lynn Greer, Jr., Director


Melvin J. Malone, Director

ATTEST:


K. David Waddell, Executive Secretary